

RESOLUTION NO. R-2350

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE FINAL PLAT OF GAIRLOCH, BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. SUB -75-24(H) AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLAT SHALL BE SUBJECT.

WHEREAS, a Preliminary Plat of Gairloch was approved by Resolution No. R-2318, and

WHEREAS, the Department of Community Development has received an application for a final plat, said application having been made by Finer Homes, Inc. and said property as legally described in the application is within an RS 8.5 zone, and

WHEREAS, the application has been submitted to the Houghton Community Council and the Kirkland Planning Commission who held public hearings thereon at their regular meetings of January 6, 1965 and February 12, 1976 respectively, and

WHEREAS, pursuant to the City of Kirkland Resolution No. 2181, concerning environmental policy and the State Environmental Policy Act, an environmental assessment has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a negative declaration reached, and

WHEREAS, said environmental assessment and declaration have been available and accompanied the application throughout the entire review process, and

WHEREAS, the Houghton Community Council and Kirkland Planning Commission, after public hearings and consideration of the recommendations of the Department of Community Development, did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the preliminary plat, subject to the specific conditions set forth in said recommendation,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairman thereof and filed in the Department of Community Development File No. SUB-75-24(H), are hereby adopted by the Kirkland City Council as though fully set forth herein, except C-8 under "Findings"; the second paragraph of C-3 under "Conclusions"; the second paragraph of C-10 under "Conclusions"; and all of "Recommendation" No. 3.

Section 2. Approval of the final plat of Gairloch is subject to the applicant's compliance with the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council and further conditioned upon the following:

A. A plat bond in an amount determined by the Director of Public Services in accordance with the requirements therefore in Ordinance No. 2178 shall be deposited with the City of Kirkland and be conditioned upon the completion and acceptance by the City of all public improvements within one year from the date of passage of this Resolution. No City official, including the Mayor, shall affix his signature to the final plat drawing until such time as the plat bond herein required has been deposited with the City and approved by the Director of Public Services as to amount and form.

Section 3. A certified copy of this Resolution, along with the Findings, Conclusions and Recommendations hereinabove adopted shall be delivered to the applicant.

Section 4. Nothing in this Resolution shall be construed as excusing the applicant from compliance with all federal, state or local statutes, ordinances or regulations applicable to this project, other than as expressly set forth herein.

Section 5. Notwithstanding the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the final plat approval herein authorized are, pursuant to Ordinance No. 2001, subject to the disapproval jurisdiction of the Houghton Community Council and this Resolution shall become effective only upon the approval of the Houghton Community Council or the failure of said Community Council to disapprove this Resolution within sixty days from the date of passage hereof.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

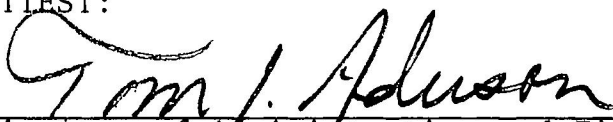
- A. Applicant
- B. Department of Community Development for the City of Kirkland.
- C. Building Department for the City of Kirkland
- D. Fire Department for the City of Kirkland
- E. Police Department for the City of Kirkland
- F. Public Service Department for the City of Kirkland
- G. Office of the Director of Administration and Finance (ex officio City Clerk) of the City of Kirkland

ADOPTED in regular meeting of the Kirkland City Council on the 1st day of March , 1976.



Mayor pro tem

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

Findings, Cont'd

- C. 5. 7. b. This plat is to include the total Simpson ownership. The adjacent unplatted portion is to be excluded from providing the required 5% open space or 10% fee in lieu until such time as this area is formally platted.
8. The applicant will be required to contact Northwest College and jointly pursue an alternative for the site screening of the adjacent Northwest College facilities. Said joint recommendation shall be presented to the Department of Community Development prior to review of the final plat, for the Department of Community Development to verify compliance with site screening of the college. Said screening and buffering plan shall be reviewed by the Planning Commission prior to approval of the final plat and shall include an east-west cross section indicating the existing and proposed screening of both Northwest College and that proposed within this plat.
8. The City shall continue with the existing City policy and require, prior to review of the final plat, that the applicant pay to the City 50% of the fair market value on a square foot basis of vacated City rights-of-way, if the area proposed to be platted is less than the area to be vacated within this preliminary plat.

CONCLUSIONS:

- A. SUMMARY OF THE PROPOSED ACTION:
1. This final subdivision application for the Plat of Gairloch is consistent with the preliminary approval of R-2318 and the Kirkland Subdivision Ordinance with the exception of Findings 5-1 and 5-8.
- B. GOVERNMENTAL COORDINATION:
2. Where applicable, Public Service recommendations should be included as conditions of approval.
- C. HISTORICAL BACKGROUND:
3. The applicant has submitted engineering calculations, drawings and a drainage design for the entire plat (See Exhibit B). The applicant has proposed a retention pond to be located in the dedicated 5% open space from Section 2.5.9 of the Kirkland Subdivision Ordinance as identified as Tract "A".
- These calculations have been reviewed by the Department of Community Development and the Public Service Department, however, the Department of Community Development and the Park Department would not recommend approval of such a system due to the immediate significant impacts upon the usability of this recreation area. The Department of Community

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Conclusions, Cont'd

- C. 3. Development and the Park Department do not feel that the storm retention pond should be located in the designated recreation area. Therefore, based upon the above, the applicant should be required to submit and receive approval from the Kirkland Public Service Department, Department of Community Development and Park Department for a drainage design for this plat prior to review by the Kirkland Planning Commission.
4. Pursuant to Building Department recommendation, the Department of Community Development would recommend that the applicant and the Department of Community Development jointly agree to a tree removal plan, similar to that used for Sandhurst No. 3.
5. The street layout plan has not yet been approved, however, the water and sewer facilities have been approved by the Public Service Department. At this time, none of these facilities have been installed.
6. a. This application has met the requirements of the Kirkland Subdivision Ordinance, Section 2.9. (Exhibit "C")
b. The applicant has submitted a closure printout (Exhibit D), which indicates conformance with the lot averaging requirements found in Section 2.11.8(h) of the Kirkland Subdivision Ordinance. Lots 24 and 25 are smaller than the minimum permitted lot size in this area.
- c. See Exhibit "E" which is a copy of the covenants to be filed with a lot in this proposed plat.
- d. Refer to Exhibit A plat plan, which indicates proposed Tract A is to meet the requirements of Section 2.5.9 (open space requirements) of the Kirkland Subdivision Ordinance.
7. The applicant has submitted the following to the Department of Community Development regarding noise levels for this proposed plat: "It is our feeling that ambient noise levels taken at this time would not accurately determine the fully developed level of noise within the plat. Our proposal is to assess ambient noise levels after roads and lots have been cleared. A maximum effort would be made during this stage to limit the clearing of lots and backyard screening to minimum practical amounts. If ambient noise levels at this stage are found to exceed 50 decibels, special construction methods such as double windows would be proposed to mitigate the ambient sound." (Exh. "F")
- As indicated, by the above, the applicant shall be required to take noise level readings after completion of tree removal for the entire plat, and at that time if noise level readings are higher than minimum City standards, found in Section 25.56.060 of Ordinance No. 2185, the applicant will be required to indicate and initiate measures which will reduce the noise level in those homes to minimum City standards.

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Conclusions, Cont'd

C. 8. The following shall be indicated on the face of the plat
lines:

- a. A ten (10) foot utility easement shall be required between proposed Lots 12 and 13 for future utility extension.
- b. Tract "B" has been exempted from the provisions of open space or fee in lieu for the plat of Gairloch. At the time that Tract "B" is formally platted, open space or fee in lieu shall be required pursuant to Section 2.5.9 of Ordinance No. 2178 or the applicable Subdivision Ordinance.
- c. There shall be a 15 foot native growth protection easement along the west side of Lots 4 through 10, and along the south side of Lots 11 through 15 (See Conclusion 11 below.)
- d. Tract "A" is deeded to the plat with all costs of future improvements and/or maintenance to be borne by all lot owners within the plat.

9. a. The applicant has re-designed the private road of N.E. 59th Place to minimum City standards, and

b. The applicant has included the total Simpson ownership as Tract "B".

10. The applicant has submitted the following to the Department of Community Development regarding screening of Northwest College's facilities from this plat:

"The proposal for site screening of the adjacent Northwest College facilities is a 15 foot native growth protection easement along the north and south side of the north boundary and the east and west side of the west boundary for a distance of 285 feet north of the southwest corner of the plat. This would provide a total of 30 feet of screening vegetation. This proposal was discussed with Mr. Crowder, Director of Development for Northwest College on December 17, 1975 and again with Mr. Hodges, Business Manager for the College at Mr. Hodges' office on Monday, December 22, 1975. Although no formal commitment to the above proposal has been received at this time from the College, it was the consensus of views expressed during the above discussion that the two back-to-back screening easements was the best alternative." (Exhibit "F")

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Conclusions, Cont'd

C. 10. The above response does not entirely address the requirement of Recommendation No. 8 and Resolution No. 2318, because no east-west cross section has been submitted. The condition of the 15 foot native growth easement may well mitigate the problem, and this situation, if Northwest College also maintains a similar type easement with additional plantings.

Prior to final approval of this plat, a formal agreement between the applicant and Northwest College shall be submitted to the Department of Community Development and kept on file.

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions, we hereby recommend approval of this Final Plat of Gairloch as identified in Exhibits "A" through "F" and subject to the following conditions:

Prior to review by the Kirkland Planning Commission, the following shall be accomplished:

- 1. The applicant shall be required to re-submit a drainage and street plan which meets the approval of the Kirkland Public Service Department.
- 2. The following shall be indicated on the face of the plat lines:
 - a. A ten (10) foot utility easement shall be required between proposed Lots 10 and 11 for future utility extension.
 - b. Tract "B" has been exempted from the provisions of open space or fee in lieu for the plat of Gairloch. At the time that Tract "B" is formally platted, open space or fee in lieu shall be required pursuant to Section 2.5.9 of Ordinance No. 2178 or the applicable Subdivision Ordinance.
 - c. There shall be a 15 foot growth protection easement along the west side of Lots 4 through 10, and along the south side of Lots 11 through 15.
 - d. Tract "A" is deeded to the plat with all

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Recommendations, Cont'd

2. d. (cont'd) costs of future improvements and/or maintenance to be borne by all lot owners within the plat.
- e. The regular maintenance and repair of all storm water retention structures in this plat and located beneath the City right-of-way (and within "Tract A" shall be accomplished by the City of Kirkland. The total cost of said maintenance and repair of all storm water retention structures shall be assessed against all property owners within the plat who are served by such, and each property owner served by said system shall be assessed 1/29th of the total costs.
- f. Tract "A" shall remain as open space within this plat to fulfill the requirement of both a recreation area and a functional part of the storm water retention system.
3. That the applicant shall submit to the Department of Community Development a formal agreement between Northwest College and the applicant for the retention of a 15 foot growth screening easement along the common boundaries of plat and the college, to be consistent with Recommendation 2.c. above.
4. That the applicant shall post a bond in an amount to be determined by the Director of the Public Service Department for all required public improvements to be provided herein.
5. That the applicant shall be required to take noise level readings after completion of tree removal for the entire plat, and at that time if noise level readings are higher than minimum City standards, found in Section 23.36.060 of Ord. No. 2183, the applicant will be required to indicate and initiate measures which will reduce the noise level in those homes to minimum City standards.
6. The developer shall submit a landscaping plan to screen the north and south property lines of Tract "A", in which said plan is to be presented to and jointly approved by the Department of Community Development and the Park Department. Said landscaping plan shall generally include natural vegetation including but not limited to Douglas Fir, Hemlock, Cedar and the like. A visual screen of landscaping shall be installed along the western boundary of Lots 5 through 10.

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- C. 5. downspouts into this drainage system. Said drainage system shall include sediment basins, oil traps, and water retention basins. The applicant shall be required to limit the quantity, velocity and quality of runoff during and after site development to levels which are substantially the same as (or better than) predevelopment conditions during a 10 year one hour storm.
2. Vegetation removal shall be limited in accordance with the current Uniform Building Code, Chapter 70, as amended by the City of Kirkland in Ordinance No. O-2293, dated July 7, 1975.
3. The following utility improvements will be required to be installed or bonded prior to final approval, subject to the Public Service Department:
- Improve the south side of N.E. 60th St. for the length of the subject property to a minimum 16 foot paved surface to minimum City standards and to include curb and gutter and to accordingly match the paving on the north side of this street.
 - All interior roads within this proposed plat shall be improved to minimum City standards with a sidewalk on one side of the loop street.
 - The proposed private road of N.E. 59th Place shall be enlarged to minimum City right-of-way of 50 feet with either a minimum 90 foot diameter turn-around or a "j" or "y" shaped turn-around to be approved by the Public Service Department.
 - The applicant shall install a 6" water main to be connected to the 20" main located along N.E. 60th Street and extend through the proposed plat and to connect with the existing 6" main along 114th Ave. N.E.
 - The applicant will be required to pave N.E. 58th Street from the easterly property line of proposed Lot 19 to 114th Ave., with a 20 foot paved surface.
 - The applicant shall be required to install curb and gutter along the north side of proposed Lot 19 along N.E. 58th Street.
 - Additional fire hydrants will need to be located within the subject plat on the corners of proposed Lot 27 and proposed Lot 22.
 - The applicant shall provide the Department of Public Service with a plan for sanitary sewer hookup for the subject property.

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- C. 5. 3. i. All utilities shall be undergrounded.
4. Prior to the review of the final plat, the applicant shall be required to submit, or evidence thereof, the following:
- That the final plat meets the requirements of Kirkland Subdivision Ordinance, Section 2.9.
 - Submission of a closure printout verifying lot area and conformance with the RS 8.5 zone lot averaging requirements found in Section 2.11.8(h) of the Kirkland Subdivision Ordinance.
 - 5% open space shall be provided, preferably adjacent the unplatted Simpson property in the area of Lots 4 and 5, or Lots 28 and 29, said open space to be dedicated to the City.
 - Prior to final review of this plat, the applicant shall be required to provide additional information to the Department of Community Development regarding the ambient noise level within the plat, and if found to be more than 50 decibels for any lot or lots, methods for mitigation should be proposed.
 - The following shall be indicated on the face of the plat linen:
 - A ten (10) foot utility easement shall be required between proposed Lots 12 and 13 for future utility extension.
 - The proposed N.E. 58th St., which is one-half block south of this said right-of-way, shall be identified as N.E. 58th Place.
 - The unplatted portion of the Simpson property shall be exempted for purposes of calculations of open space or fee-in-lieu for this plat. However, this unplatted property shall be required to contribute either open space or fee-in-lieu at the time that the area is formally platted.
 - The preliminary plat shall be redesignated prior to review of the final plat with regard to the following:
 - Enlargement of proposed private road of N.E. 59th Place to minimum City standards, and

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DEPARTMENT OF COMMUNITY DEVELOPMENT
ADVISORY REPORT
 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
 RECOMMENDED BY XX DATE February 12, 1976
 ADOPTED BY _____ DATE _____

STAFF _____
 BOARD OF ADJUSTMENT _____
 HOUGHTON COMMUNITY COUNCIL _____
 PLANNING COMMISSION _____
 CITY COUNCIL AS INCORPORATED John Cushing Chairperson 2/12/76

RESOLUTION _____ ORDINANCE _____
 NUMBER _____
 DATE _____

FILE NUMBER SUB-75-24(H) Final
 APPLICANT Finer Homes, Inc.
 PROPERTY LOCATION N.E. 60th & N.E. 7th & 112th N.E. and 114th N.E.

SUBJECT Application for Final Subdivision of "Gairloch"
 HEARING/MEETING DATE March 1, 1976
 BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Plat Linen "B" Drainage Plan "C" Title Insurance
Report "D" Closure Printout "E" Covenants "F" Letter regarding noise
and buffering.

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a final formal subdivision to subdivide the proposed parcel into 29 lots and two tracts. The proposed plat of Gairloch is located within an RS S.5 zone.

B. GOVERNMENTAL COORDINATION:

2. Public Service Department. Memo from Public Service Director, dated 12/11/75: "The planning of water and sewer facilities have been approved by the Public Service Department. The street layout and drainage plans have not been approved. The method of storm water retention is probably the only debatable item unresolved at this time."

Memo from Public Service Director, dated 11/17/75: "This Department's review of the plat finds it well conceived. I have added the following items on sanitary sewer and water plan to inform the developer what the City intends to put in for future services: 1. Extend the sewer stub to clear Lot No.'s 10 and 11. 2. Extend a sewer stub out of Manhole #4 to clear paving. 3. Tap in a 2" water line, in vicinity of Manhole #4 to clear paving."

3. Department of Fire Services. Memo from Fire Department dated December 15, 1975. "Two fire hydrants to be installed as shown on plot plan. These hydrants to be served by not less than 6" circulating mains, or if served by a dead-end main this main will be no less than 8" in diameter. The system shall be capable of providing a minimum of 1,000 gallons per minute for required fire flow."

4. Memo to Department of Community Development from Park Dept: "1. No storm water retention pond in designated recreation area. 2. Designated recreation area shall be graded, seeded, and fenced from adjacent houses. 3. No one year trial periods for ponds with bond if located in designated recreation area."

C. HISTORICAL BACKGROUND

5. On July 21, 1975 the City Council of the City of Kirkland did approve Resolution No. 2518 approving the Preliminary Plat of Gairloch setting up certain conditions of approval which were to be met or reviewed prior to review by the Houghton Community Council and Kirkland Planning Commission for final plat. They are as follows:

- "1. Prior to installation of any required utilities, grading, clearing, or development within the preliminary plat, the applicant shall submit engineering calculations, drawings and a drainage design for the entire plat. The applicant shall be required to connect both footing drains and all

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